The Journal Has a Press Franchise That Enables It to Print All the News All the Time

TERRIBLE DISASTER ON THE NEW YORK CENTRAL.

TWENTY-EIGHT LIVES LOST.

TRACK GIVES WAY AND TRAIN LEAPS INTO THE RIVER.

PERSONS

PERISHED BEFORE THEY COULD ESCAPE FROM SUBMERGED CARS,

Three Sleepers Held the Track or the Death List Would Be Much Imrger-Accident Occurred at Daylight Yesterday Morning-Survivors' Stories.

Garrison's, N. Y., Oct. 24.-Buffalo and New York special No. 4, on the New York Central & Hudson River road, due to arrive in New York at 7, was thrown from the track into the Hudson river one and a half miles below here just before daylight this morning, causing the loss of twenty-eight

The retaining wall along the river had been undermined by high water in the of the train. The train consisted of the engine, an express car, a combination baggage and smoking car, one day coach and six sleepers. The engine and two of the finisher, of New York. His left eye was blankets. forward cars are submerged in fifty feet of water. Engineer Foyle and Fireman Tomp- slightly bruised. Mr. Degan made this will be obliged to flee from impending kins went down with the engine.

As the train plunged over the embankment the coupling that held the last three of the sleepers broke, and they miraculously remained on the broken track. In that way some sixty lives were saved.

Of eye witnesses there were none, except the crew of a tugboat passing with a tow. They say the train with its light as it came flashing about the curves, and then saw the greater part of it go into the river. were eighteen people in the coach, most Some of the cars with closed windows float- of them women and children, and nearly ed, and the tug, whistling for help, cast off all were asleep. its hawser and started to the rescue. A porter jumped from one of the cars that re- car. When the crash came, the car gave mained on the track and ran into the yard a great lurch and rolled over on its side. of Augustus Carr's house, near which the The water rushed in and almost instantly accident occurred, and stood screaming for the lights went out. I knew that we were but that is closed and they cannot get

In a few minutes Carr had dressed him- was submerged. self, and, getting a boat, rowed with the porter to the scene. As they turned a point I managed to reach the fan light overin the bank they came upon the express head and cling to it until help came. car and the combination car floating about twenty feet from shore, but sinking every minute. One man was taken from the top It was so dark that I could see no one, and of the car, and efforts were made to rescue I think the passengers must have been those inside. A few were gotten out, the drowned like rats. After awhile, it seemed possengers in the cars left upon the track an age, I heard people on top of the car making a human bridge to the shore to and an ax crashed through the roof. The take the wounded on. The day coach and smoker had gone down in the deeper water and rescue was impossible. In the latter coach the conditions must have been herrible. The car turned completely over, but I know of no other occupants of the and the passenger end of it was deep in the water, while the baggage end stood up toward the surface. The men in that lower end must have fought like fiends for a brief period, for the bodies, when taken out, were a mass of wounds.

The closing scene of the first day of this tragedy is drawn around a common car that stands near the scene of the accident, where nearly a score of badly mutilated bodies, none of them yet claimed by friends, are lying in a long row, gruesome evidences of the disaster, the greatest that has ever occurred on this railroad.

Following is a list of dead as far as ascertained up to midnight:

No. 1-Thomas Reiley, St. Louis,

No. 2-Crinaman, unidentified. No. 3-Wong Gim, a Chinaman,

No. 4-Chinaman, unidentified.

No. 5-Chinaman, unidentified.

No. 6-Chinaman, unidentified.

No. 7-Chinaman, unidentified.

No. 8-Chinaman, unidentified, No. 9-E. A. Green, Chicago.

No. 19-Chinaman, unidentified. No. 11-W. H. G. Myers, of Tremont.

N. Y.

No. 12-Woman, unidentified. No. 13-Woman, unidentified.

No. 14-Guiseppe Paduano, of New York. No. 15-W. S. Becker, Newark, N. Y.

No. 16-Unknown man; died while being rescued.

supposed to be in wreck. No. 18-John Foyle, engineer, of East north of Peekskill.

Albany, body not recovered. No. 19-John Q. Tompkins, fireman, of East Albany, body not recovered. The injured are:

Conductor E. O. Parish, of New York; knocked unconscious, severely bruised. Chinaman, bad scalp wound and body

bruised; in hospital at Peekskill. Chinaman, face badly cut and legs sprain-

ed: in hospital at Peekskill. Frank J. Degan, 219 West Thirty-fourth street, New York, body bruised and face

skill. Herman Acker, of Peekskill, baggageman, bruised and head cut.

Shaw, express agent, New York; slight

City; badly lacerated arm and legs; in hospital at Peekskill. Clarence Mcrgan, of Aurora, N. Y., broken shoulder; in hospital at Peekskill.

W. S. Langford, Bayonne, N. J., badly bruised. Charles Buchanan, John Smith and John

York city. A number of others were injured, but up to a late hour to-night the list was incomplete.

The wrecked train was known as the

state express. It left Buffalo at 7 o'clock last night, and was due in New York at 7 o'clock this morning. The train was hauled by engine 872, and consisted of one American Express car, one combination baggage and smoking car, one day coach and six Bleepers.

Poughkeepsie was the last stopping place of the train before the disaster at 5:10 a. m. At this time there were in the smoker, in NO MORE GOLD UNTIL SPRING. addition to the baggageman, Herman Acker, of Peekskill, who was in his compartment; eight Chinamen en route to New York, and a middle-aged man, supposed to be Thomas Reilly, of No. 2860 Wisconsin avenue, St. Louis. All of these, excepting the baggageman, perished. The day coach contained eighteen or twenty passengers, many of whom were women and children How many of these escaped is not known but at least twelve were drowned or killed in this car. Behind the coach was the six eleepers, with about sixty-five passengers. The total cargo of human freight consist-

ed of something over a hundred people. At Fishkill the trainlessened its speed, as it is the custom to run from that point to Tarrytown at the rate of about twentyfive miles an hour. Most of the passengers | taken the last of those who have come were asleep, those in the sleepers being in down the Yukon. The river is already their berths, while the occupants of the coach and smoker were, for the most part, doubled up in their seats.

river, and the track caved under the weight he recovered, he was three seats ahead of the one in which he had been sitting.

One of the few occupants of the coach statement:

Passaic, N. J., who was killed in the car from which I escaped, I had been to Pough-will be continued all winter. Three hunkeepsie. We boarded the train at that dred men were working in the guiches, and other people got on at Poughkeepsie. One knew nothing of the shortage and were was a woman and the two others were men, one of whom looked like a railroad employe. As near as I can judge, there Five hundred or 1.000 could winter at Circle

"Myers and I sat in the middle of the world. help and moaning: "The train is in the in the river, and the car seemed to plow river. All our passengers are drowned." | through the water for some time after it through the water for some time after it

. "I heard people in the back part of the car groaning as if they were pinned fast. noise of that ax in the splintered timbers made the sweetest music I ever heard in my life. A man and a boy (father and son) were also rescued in the same way, floating and fast filling with water, and we were put ashore in a row boat. I am sure that my friend Myers was drowned."

Augustus Carr, a German living near the scene of the wreck, gives this description: "It was about five minutes before 6 when I was awakened by someone in my yard calling for help. Looking out of my window I saw a sleeping car porter who shouted: 'For God's sake, man, if you own a boat, come quickly. Our train is in the

river and people are drowning." "I dressed myself and, accompanied by the porter, got into my rowboat and rowed around the curve to where the train was in the river. When we reached the cars, which were submerged, nearly to their roofs, the engine being entirely out of sight the crews of the tugboats were making efforts to save the passengers. The first man I saw them take out was, I think, the agent of the express car.

"The first persons we succeeded in rescuing were two Chinamen who were sitting on the roof of the smoker. One had his arm broken. We put them ashore and then took three more persons off the top of another car. At the same time people in their underclothing were being taken which went aground a few miles above the out of the sleeping cars by the crews of mouth of Minook creek. Gaylord and sev-

several tugs." The place where the wreck occurred is No. 17-A. G. McKay, private secretary to rather isolated. It is just at the entrance town called Rampart City was started. General Superintendent Van Etten, body of what is known as King's cut, three miles south of Garrison's, and five miles

Two other express trains were following close behind the ill fated state express, the and the engineer of one of them was sent to Garrison's for General Manager J. M. Toucey, who lives there, while the other engine hurried to Peckskill for medical aid.

Of the dramatic horror of the situation in the combination car when it left the track and struck the water, perhaps the best account is had from the story of Herman Acker, of Peekskill, the baggageman and mail sorter. He said:

Tragedies—Tramway Line
Over Chilcoot.

Dyea, Alaska, Oct. 13, via Seattle, Wash., St. Joseph, Mo., Oct. 24.—(Special.) A West Indian, who gives his name as Edgardo L. Palacios, is in the city soliciting aid for the Cuban cause. He has collected a large sum. His only credentials are a letter signed in link, "Major Emanuel Preference occupied being under water, while our end was tilted up. We swam around and got a ventilator open and, noting the situation of the structure of the control of the cont Chinaman, Long Lee, badly bruised and press Company, and myself were in the suffering from shock; in hospital at Peek-John E. Ryan, 24 Barrow street, Jersey | nese occupied being under water, while our | jumped all day Tuesday, and several tragtion, got an ax from a toolbox which was affoat and smashed a panel in the end post, a mile distant, is filled with tents of the car. We crawled through the hole

The first victim of the disaster found was lying on shore dving. He was badly Flood were taken to Flower hospital, New bruised about the head and body and his right arm was cut off near the shoulder, the bleeding stump alone showing. The member was not found. The man was placed on a train and taken to Peekskill.

Continued on Second Page.

FROZEN HARD AND BOATS LAID BY FOR THE WINTER.

MANY WILL HAVE TO LEAVE DAW-SON CITY OR STARVE.

Can Go to Circle City and Get Supplies From Fort Yukon-A Kansan One of the Last Party to Leave the Klondike.

Scattle Wash Oct 24-The steamer Tumboldt arrived last night with five men from Dawson City, leaving there Septem points on the Yukon. They say no gold frezen hard, and boats are laid up for the

winter. The Humboldt left St. Michael's October The five men from Dawson are John F. Just how the train met its awful fate will Miller and Frank E. Sims, of this city; C. never be fully known, for the men who Dubel, of New Jersey, and William Braund. first felt the danger, Engineer John Foyle of Black Diamond, Wash. They were pasand Fireman John Tompkins, to-night lie sengers on the river steamer Margaret. dead in the cab of their locomotive at the When they found the mouth of the river bottom of the Hudson river. Conductor blocked with ice they resolved to come overland at all hazards. For seven days Parish, who was in charge of the train, and they crept forward through terrible wind who was making up his report in one of the and snow storms. Some of them fell in cars when the crash came, was rendered their tracks and had to be helped by their unconscious by a blow on the head. When stronger companions. They crossed a river covered with thin ice by lying down and pushing their packs before them. At night they sought shelter from the storm by huddling in an Eskimo tent or lying unwho escaped was Frank J. Degan, a wood- protected from the biting wind save by

starvation. Up to September 3, "With my friend, W. H. G. Myers, of Miller party left Dawson, new arrivals place and took a seat in the coach. Three in the hills were several prospectors, who depending on the company stores for pro-

One way of relief is open for the miners City, 100 miles below Dawson, and draw their supplies by dog train from Fort Yukon. Circle City has 500 hou to be the largest log cabin town in the

John F. Miller says there will not necessarily be starvation, but certainly miners will suffer extreme privations. Five hun-

There is no doubt that the people of Dawson have been alive to the situation "The car was tilted over on one side and for six weeks. "Our leaving," says Sims, and Fort Yukon claim the liquor traffic has no appreciable effect on the supply of provisions. Not more than thirty tons of liquor, they say, have gone into the

With the blockade of the Yukon, every possibility vanishes of a treasure shipment by the steamer Portland. No gold will come out this year. There is any amount of gold at Dawson. It is not unusual to see horses loaded with dust. But the mines are owned by men who know their value. "One sees it on every hand," the returning miners say. "It seems plentiful, but you must remember it is more coach escaping. The car at this time was plentiful in the United States treasury and is just as hard to get. People who the mines expecting to pick up gold in the grass roots do not realize what they are up against."

There is no doubt that a large amount of treasure will come from the Yukon basin next year, if the miners can get enough to eat to continue mining during the winter. Gold sent out early this year will not be a circumstance to next spring's output of the sluice boxes.

Mr. Miller says nothing of considerable value has been found this summer. There s not an inch of ground unstaked on the Klondike. The following named creeks have been located: Sulphur, Quartz, Moose Hide, Henderson, Dominion and Victoria gulch. Henderson creek is twelve miles above Stewart river and Victoria gulch is twelve miles below Stewart river.

A NEW ALASKAN TOWN. Flourishing City Has Sprung Up at

the Present Head of Yukon Navigation.

Port Townsend, Wash., Oct. 24.-The lcrd, of Buffalo, N. Y. Gaylord reached St. Michael's early in August, and started for Dawson City on the steamer Hamilton eral others of the Hamilton's passengers returned to the mouth of the creek to camp, and it was there that the flourishing Many claims have been staked off adia-

Many claims have been staked off adjacent to Rampart City. Some have given indications of wealth, but the weather for the past mouth has been so stormy as to preciude successful prospecting.

The population of Rampart City, despite the warnings that have gone out of the impossibility of getting on to Dawson, is constantly on the increase, every incoming steamer, to say nothing of sail and rowboats, being loaded to its full capacity.

Gaylord says the government's determination to make a military reserve of St. Michael's and the country within a radius of 100 miles will be a matter of great satisfaction to the better class. faction to the better class.

Gaylord started for his home in the East

to day, but will endenvor to reach Dawson City in the spring by way of Chilcoot pass. TOWNSITE BOOM AT DYEA.

clear above Healy and Wilson trading and shacks of all description. The cause to the roof of the car, and a rowboat came of this activity is the anticipated rush out and took us ashore."

of this activity is the anticipated rush over Chilcoot pass this winter and next over Chilcoot pass this winter and next spring. A wharf is being constructed at Dyea, the interested parties, it is under-stood, being Chicago capitalists. In addi-tion to this, it is expected that a cable will be constructed over the summit of Chilcoot pass. The distance will be over will be const. The distance will be transported two miles. The wire for the transported two miles. The wire for the transported transported to the stated that goods will be transported Dyea to Lake Lindeman at a rate will not exceed 12 cents a pound.

Two Swindlers Arrested for Defrauding Men Going to Europe on Cattle Steamers.

New York, Oct. 24.-Willard Waller, 42 years old, said by the police to be an old offender, who stated that his home is in Buffalo, N. Y., and John F. Ellis, 44 years old, of this city, were arraigned in the Jefferson Tarket police court to-day, charged with working a "flim-flam" game on me leaving for Europe on cattle ships of the Archor line. Complaints had been made to the police by cattlemen who had been swindled out of money by two men answering the descriptions of the prisoners. The latter, it is alleged, get the cattlemen to buy spurious bonds, telling them they buy spurious bonds, telling them they could be cashed in either London or Liver-pcol. When searched, the prisoners had two finely executed bonds, one of which had the name "Bank of Engraving" on it, and the other had the heading. "Massachusetts and Montana Gold and Silver Mining Company." The men waived examination, and were remanded back to police head-quarters until to-morrow, when it is expected that more evidence against them will be produced.

TRIED TO KILL HIS SONS. Iola, Kas., Man Becomes Insane and

Starts Out With a Gun to

Do Murder. Icla, Kas., Oct. 24.—(Special.) Last sum-mer John Piester, an old German living just outside the city limits, became insane and eft suddenly for Germany, his old home, announcing that he proposed to live there the rest of his life. Becoming dissatisfied there, he soon returned, having apparently regained his reason. To-day, however, he became violent, and getting a revolver, which he had purchased yesterday, he attempted to kill his two sons. They cluded tempted to kill his two sons. They cluded him and notified the officers. When they arrived Piester had barricaded himself in the house and defied them. He finally was persuaded to allow them to come into the house, but would not permit anyone to come close enough to get possession of his revolver. He is being closely guarded tonight, for he has announced his intention of killing two of the most prominent citizens of the town.

IOWA BANK ROBBED.

One of the Bandits Fataly Shot by His Pals Through a Mis-

take. Webster City, Ia., Oct. 24.—Three masked burglars robbed the State bank of Blairsburg this morning at 3 o'clock. They used dynamite, and the explosion shattered the large plate glass window and badly wrecked the bank building. They secured Mrs. Riley, which came into Riley's pos \$6,000 worth of securities and a small amount of cash.

\$5,000 worth of securities and a small amount of cash.

When the first explosion occurred it awoke half the town. James Conners' yells frightened the burglars, and, although they had prepared the dynamite for the second explosion, they leaped from the back window. In passing the corner they saw Edward Gillicoin, who was one of their pals, advancing toward them. It was dark and in the excitement they mistook him for an officer and shot him twice. One builtet entered his chest and another his abdomen. He was captured, and is not expected to live. The other two escaped.

FATALLY SHOT BY A ROBBER Camden, N. J., Cigar Store Proprietor Resists Being Held Up, to

His Sorrow. er, 65 years old, keeper of a cigar store at 519 Market street, was held up and probably fatally shot by a robber to-day. A man who at different times gave his name as John Cowan and George Woodward, and who says he belongs in New York, was arrested. He admits having a prison record. He, accompanied by another man who subsequently escaped, walked in the store and Cowan pointed a revolver a Mather and demanded his money. Mather seized the weapon and tried to wrest if from Cowan. The latter fixed and the heal rom Cowan. The latter fired and the bastruck Mather in the mouth. He fell t companion rifled the money drawer and Cowan was caught at the Philade

phia ferry. PLOT TO KILL SHERIFF MARTIN. Author of the Lattimer, Pa., Tragedy Said to Be Marked for As-

Wilkesbarre, Pa., Oct. 24.-An alleged con spiracy to murder Sheriff Martin, who led the deputies who fired upon and killed a score of strikers at Lattimer on Sentem ber 10, has been discovered by the arrest of John Seplack, who was wounded in the or John Seplack, who was wounded in the riot. The complainant was the sheriff's son, William, who says he overheard Seplack threaten to kill his father. On Seplack was found a razor wrapped in a printed circular describing the shooting, and calling for vengeance. From a talk overheard, it is said that the prisoner is one of a garge of for vengeance. From a talk overheard, it is said that the prisoner is one of a gang of fifteen detailed by the foreigners to murder the sheriff. He denies the charge.

JEWELRY THIEVES CAUGHT. Arrested at Chicago When They

Called for a Package of Scranton, Pa., Plunder.

Port Townsend, Wash., Oct. 24.—The schooner Fischer Brothers has arrived, after Mike O'Neill and Harry Johnson, the jewela remarkably rough trip, from St. Michael's, her only passenger being W. D. Gay-her to-day by Chief of Police Robling and Scranton detectives. The \$1,500 worth of jewelry taken from the home of Superin tendent Bogert, of the Delaware, Lacka tendent Bogert, of the Delaware, Lacka-wanna & Western road, was recovered in-tact. It had been shipped from here by express as "medicine." The crooks were arrested when they called for the package in Chicago. En route East, they refused

WRONGED HUSBAND'S CRIME. Jacob M. Masters, Postmaster at Huls ton, Mo., Shoots John C.

Hulston Dead. Greenfield, Mo., Oct. 24.-Jacob M. Mas ters waylaid and shot John C. Hulston dead Simpson referred him to an adjoining room in the road at Hulston this morning. The trouble grew out of the alleged intimacy between Hulston and Masters' wife, upon which a damage suit for \$10,000, now pe irg, is based. John C. Hulston was the owner of Hulston mill, on Sac river, seven miles northeast of this place. Masters is postmaster at Hulston. Masters gave him-self up to the authorities, and is now in

Soliciting Aid for Cuba.

New York, Oct. 24.—Adolph Lepman, of the Travelers' Life Insurance Company, who shot himself while seated at his desk in the Bank of Commerce building here Saturday morning, died to-day at the Hud-son street hospital. He had been despond-ent on account of business setbacks and frequently threatened to kill himself. Nine Horses Stolen.

Hennessey, O. T., Oct. 24.—(Special.) Near Kell, on Friday night, horsethleves stole nine good horses. They were tracked north some distance and are believed to belong to the same gang that has been stealing horses. In Woods county and taking them to Kan-sas to sell. Riley's Story to the Police.

Riley admitted to the police that he had

C. E. RILEY SHOOTS AND DANGER-OUSLY WOUNDS W. N. ALLEN.

HAD TWO LOADED REVOLVERS.

ALLEN WRESTED ONE FROM HIM BUT HE USED THE OTHER.

Riley Received a Slight Wound in the Leg During the Struggle-Claims Allen Was Intimate With His Wife-Found Allen's Letters.

William N. Allen, of the Keeley institute in Kansas City, Kas., who is generally known as "Doctor" Allen, was shot and dengerously wounded at 10:15 o'clock yesterday morning by C. E. Riley, traveling salesman for the Schmelzer Arms Company, of this city.

The cause of the shooting was the belief entertained by Riley that Allen had been intimate with his wife. This belief was



session. The shooting created a sensation in the city across the Kaw. It occurred in the office of the Keeley institute in the Portsnouth building, corner of Sixth street and Minnesota avenue. Riley fired three shots one of which entered Allen's right side and another made a wound in his own left leg. A few moments after the affray Allen was taken to St. Margaret's hospital, where everything possible is being done to save his life. He was in a very critical ondition last night, but the attending phyicians had hopes of his recovery. Riley was taken to police headquarters, where his wound was dressed by Police Surgeon

Allen was reticent concerning the cause of the shooting. Riley said that Allen was intimate with his wife and that he has letters written to her by Allen to substantiate his charge. He turned over a number of letters to the police, but they refused to divulge the contents of the letters or even state positively whether any of them were written by Allen.

As near as can be ascertained Rilcy has been jealous of Allen for some time. His wife has been living with her parents at Burlington, Kas., since the middle of last August, while he has been on the road fo he Schmelzer company. His territory com-rises Okiahoma and the Indian Territoory prises Okiahoma and the Indian Territoory. Saturday he returned from a trip and went to visit his wife at Burlington. Upon his arrival there he discovered that she had left her mother's home several days ago and her whereabouts were unknown to her relatives. Riley claims that he searched his wife's trunk and found letters which caused him to seek an explanation from Allen. He did not attempt to locate his wife, but took the first train for Kansas



C. E. RILEY. (Sketched by Journal Artist.)

City, arriving at the Union depot yesterlay morning. He came uptown and breakfast started in search of Allen. Three Shots Fired.

It was shortly after 10 o'clock when he

called at the office of the Keeley institute and inquired of Dr. Simpson, the medical director, the whereabouts of Mr. Allen. Dr. where Allen and a friend were conversing. Allen's friend left the room and closed the door. Five minutes later three pistol shots were heard only a few seconds apart. Dr. were heard only a few seconds apart. Dr. Simpson hastened to the room and found Allen lying on the floor with his hands clasping the barrel of a revolver held by Riley. By this time Manager Wadsworth, of the institute, arrived on the scene. He was in his private office when the shots were fired. He took the revolver away from the struggling men. On the floor was found another revolver, which had been broken and the cartridges spilled on the floor.

been broken and the cartridges spilled on the floor.

Mr. Allen's story as related to Manager Wadsworth, is that Riley, upon closing the door behind him, instantly reached for a revolver. Allen grabbed him, and in the scuffle he succeeded in wrenching the weapon from Riley. He immediately broke it and caused the cartridges to fall on the floor. Riley then attempted to draw another revolver from his coat pocket and Allen clinched with him again. While scuffling Riley succeeded in getting the barrel of the pistol pointed at Allen's side and he fired through the pocket of his coat, the bullet taking effect in his right side just above the pelvic arch and ranging downward.

ward.
After Allen was shot he continued to clinch with Riley, and when Dr. Simpson entered the room Riley had gotten the revolver out of his pocket and they were wrestling for it. It is probable that Riley was shot while they were scuffling for possession of the weapon.

both revolvers, which were of a 38-caliber.

ple case. He intimated that he suspected Allen of being too intimate with his wife and said he called on him yesterday morning to demand some explanations. He armed himself with two revolvers, for pro-

tection, so he claims. He says that he did tection, so he claims. He says that he did not seek Allen's life, and that he did not go to his office for the purpose of killing him, and says that Mr. Allen attacked him first. In an interview with Police Surgeon Downs he stated that the shooting was a very unfortunate affair and that he was very sorry that it had occurred. When asked if he knew of his wife's present whereabouts he answered that he did not. Riley will be detained by the police pending the result of Mr. Allen's injuries. He is not locked up, but is being allowed to occupy a cot at police headquarters. The wound in his leg is slight and will not cause him any particular trouble. He was able to walk around the station last night.

Where Allen Met Mrs. Riley.

Where Allen Met Mrs. Riley. W. N. Allen is well and favorably known in the two Kansas Citys. He formerly lived on this side of the line, but for the past three years he has made his home in Kansas City, Kas. His wife died about a year ago. He has an interest in the Keeley institute and devotes most of his time traveling in Kansas and Missouri in the inter est of the institute. He met Mrs. Riley at

est of the institute. He met Mrs. Riley at Burlington some time ago at a social gathering, but he declares that their acquaintance is very slight, and that if Mr. Riley is struggling under an impression that he has taken any undue advantages of his wife he is positively mistaken. Allen met Riley in Kanasa City, Mo., a few months ago and at that time it is claimed that nothing was said concerning any suspicions on the part of Riley, and that Mrs. Riley's name was not mentioned. Dr. Simpson, who had a long talk with Allen at the hospital, and also with Riley, stated last night that he felt confident from what he had learned that the shooting was due to a misunderstanding between the two men. Unless Riley is prosecuted it is not likely that all of the facts connected with the shooting will be revealed.

MESSRS. SCHMELZER TALK. Riley's Employers Say He Is Trustworthy and Temperate and a

Good Salesman. "Riley came to us last May," said C. J. Schmelzer, vice president of the J. F. Schmelzer & Sons' Arms Company, last night. "He had been traveling for a grocery specialty house and was not familiar with our line, but I liked his appearance and put him to work soliciting the city trade, which was heavy at the time in preparation for the Fourth of July. He

preparation for the Fourth of July. He made a remarkably good record and shortly after the Fourth of July we put him on the road. His territory is Oklahoma and Indian Territories, Texas and New Mexico. He has done well and shown we were not mistaken when we concluded he was a good man for our business. He has made new customers and friends for us all over our territory. He never showed any signs of intemperance and I have always considered him a thoroughly reliable, competent and honorable business man. He is a man to whom everyone who does business with him is attracted.

"I should judge Riley" is between 35 and 40 years of age. He is short and stout about 5 feet 4 inches, and weighs. I should think, about 170 pounds. He has light brown hair and wears a mustache of the same color. He has a remarkably bright eye. I have seen Mrs. Riley, who has called at the store several times with orders from her husband, drawn on the house for money. She is a pleasant appearing, rather good looking woman, but I could not undertake to describe her. I think their domestic life has always been pleasant. I think their domestic life has always been uleasant. I think their accounted.

pearing, rather good looking woman, but I could not undertake to describe her. I think their domestic life has always been pleasant. I think they are well connected at Burlington, Kas., where they had lived, and. I believe Riley gave me the names of several prominent persons at Burlington as references when he first came with us. "I received a letter from Riley yesterday, written from Southern Kansas and I think he probably reached Burlington Friday night or Saturday morning. He was to have made a trip through the lower part of Texas at this time, but was driven out by the yellow fever. He wrote me he did not think he had been exposed to yellow fever but that he had not been feeling well for three or four days, and I gave him a route which would bring him up to Burlington, where he was to rest for a few days."

Schmelzer had not heard of the shooting until a reporter for The Journal called at his residence last night. He ex-pressed regret that it had occurred and said he could not speak too highly of Riley. H. F. Schmelzer, secretary of J. F.

Schmelzer & Sons' Arms Company, agreed with his brother in his estimate of Riley as a man and a salesman. "He is a good representative," he said. "As far as representative," he said. "As far as I know he has always been a perfect gentleman. He has always attended strictly to business since he has been with us. I feel very sorry that he is in the trouble he is in. I don't think he would do anyther. If eel very sorry that he is in the trouble he is in. I don't think he would do anything of the kind unless he thought he was justified.

"I have met Mrs. Riley several times when she was in our store. She is a good looking woman, about 23 or 24 years old, dresses neatly. She has brown hair and dark brown eyes. Two traveling men, friends of Riley, came to my home about 3 o'clock to-night and told me of the shooting. They said Allen wanted nothing said about it. As I understand the story from them, Allen had written insulting letters to Riley's wife, and he came here to have an explanation. He met Allen and after some heated conversation Allen struck him; then Riley shot him. He undoubtedly thought he was justified in shooting or he wouldn't have done it."

HEIRESS TO \$25,000,000.

Adopted Daughter of a San Francisc Saloonkeeper Entitled to a Vast Estate.

the vast estate of Imblay Clarke,

San Francisco, Oct. 24.-After a search

for heirs, extending over a score of years,

appraised at \$25,000,000, seems about to ome to its rightful possessor, the daughter of Clarke, a mine owner, who died in Australia over twenty years ago. She is Grace M. Elliott, adopted daughter of William H. Ellott, a saloonkeeper, who took her from the Home for the Friendless in 1878, when the matron assured him her Clarke, leaving her in the home, and that he afterwards died in Australia. Local attorneys pronounce her papers faultless, days ago the Elliotts read a dispatch in the papers to the effect that Vice President Hobart and Governor Griggs, of New Jersey, would make application for a \$25,000,000 estate in behalf of Nan Clarke Squire, of Jersey City, and Grace Clarke, of New Brunswick, grandchildren of Imblay Clarke's brother, and they thus received the first intimation that the father of their adopted daughter had possess any property. They at once communicated with Vice President Hobart, and intend to push the girl's claim in the courts. Miss Elliott, or Clarke, is an elocutionist, and has frequently taken part in public entertalaments for charitable purposes here and

in Chicago. General Fitzgerald III in Topeka

General Fitzgerald III in Topeka.

Topeka, Kas., Oct. 24.—(Special.) General
Louis Fitzgerald, president of the Merchants' Trust Company of New York, accempanied by Mr. E. W. Krech, an official
of the trust company and secretary of the
Union Pacific reorganization committee,
arrived in Topeka to-day in a Missouri Pacific private car.

General Fitzgerald became ill between
New York and Chicago, and was compelled
to stop here, on the advice of his physician. He will likely remain here some
days.

White Squadron at New York. New York, Oct. 24.-The white squadron consisting of the cruisers New York and Brooklyn and battleships Massachusetts, Texas and Iowa, arrived here to-day from an extended visit in Eastern waters.

SCHLEGEL HELD INSANE WHEN HE KILLED DR. BERGER.

REMARKABLE STATEMENT FROM

SELLS GOODS AS USUAL AND RE-BUKES HIS WIFE.

Verdict of Acquittal Had Been Wholly Unexpected and Major Woodson Was Fairly Beside Himself -Schlegel Thanks the

The jury in the case of John Schlegel, charged with the murder of Dr. Lyman A. Berger in July last, yesterday returned verdict of not guilty on the ground that Schlegel was insane at the time of the murder, but adding that he had recovered

The verdict was a complete surprise to everyone connected with the case. It was clearly a verdict based on sentiment and not on the law and the evidence. This was the practical admission of A. W. Steele, foreman of the jury, to The Journal, immediately after the verdict had been rendered, in one of the most renfarkable interviews that ever came from a juryman who sat in a capital case. Schlegel's letter, which had such a vital bearing on the motive for the crime, was not, says Mr. Steele, taken into consideration at all, nor was any of the evidence weighed or con-

doctors could violate their patients in Jack-

on county." Then Foreman Steele, just from the jury room, the verdict he had signed read not wo minutes before, made this statementan amazing statement in view of the fact that not a word of testimony as to Dr. Ber-

"That man Berger had an awful reputation. Mr. Dixon, one of the jurors, knew of his bad record. I have heard that Dr. Berger had at least forty garters of women patients. He was a bad man."

he believed the verdict was in such accord: "We believed that the verdict would be popular with the people." This explains the wholly unexpected verdict in this famous case-a verdict, admittedly, not based on the evidence or the

the meanest and pettiest of larcenies. There was one feature in the closing scene of this trial which stood boldly out: Joe Shannon was on hand, and, after adjournment of court, complimented the jurymen and told them the verdict would meet pepular approvat. When Schlegel left the jali, Joe Shannon, Attorney Silverman and one of the jurors accompanied him. Does

VERDICT IS READ.

Schlegel Seems Dazed, While Major Woodson Goes Wild-Foreman's

Surprising Statement. In expectation that the jury would reach an agreement yesterday morning, many people began to gather at the courtroom as early as 8 o'clock. They loitered in the corridors and sat around the marshal's office until the downstairs rooms at the jail became well filled. At 9:30 o'clock Deputy Marshal Dunn brought the jury from the Hotel Lynch to the juryroom and at a few minutes before 10 o'clock there was a loud rap on the juryroom door. Deputy Dunn responded, and a few minutes later he ran down the corridor to the courtroom and announced that the the courtroom and announced that the jury had agreed. Marshal Chiles ordered his horse and buggy brought out so he could go after Judge Wofford. In the meantime, the crowd kept increasing in size. Colonel John O'Grady, one of the counsel for the state; Major Woodson and Attorney Silverman, attorneys for the defense; Attorneys Beebee and Ralph Latshaw, who are to defend Dr. Jefferson D. Goddard for the murder of Fred Jackson. Goddard for the murder of Fred Jackson, Attorney Thomas Buckner, Coroner Bed-ford and a number of other well known men were among the later arrivals at the

courtroom.

The opinion was almost unanimous before the arrival of the judge that the ve dict would be for murder in the secon degree. Offers to bet of 2 to 1 were man with no takers on a verdict in the secon

with no takers on a vertice in the second degree.

Judge Wofford arrived at H:25 o'clock. He walked slowly to the bench and asked if the clerk of the court had arrive?! Clerk William E. Hagan entered the room just at this moment and proceeded to his desk. The judge ordered Schlegel brought into court. Deputy Marshal Thomas Pendergast disappeared through the door leading to the cell department and a minute later reappeared with "the little German." ing to the cell department and a minute later reappeared with "the little German." Schlegel's eyes were red, the lids being puffed and swollen, his hair was disheveled and his clothes looked as though he had not taken them off during the night. He walked quickly and nervously to the seat he had occupied during the trial and, sinking wearily down into it, rested his head upon his right hand.

The judge ordered the jury brought in, and as the men who had the fate of the defendant in their hands filed solemnly into the courtroom, everyone leaned expectantly

defendant in their hands filed solemnly into the courtroom, everyone leaned expectantly forward and gazed eagerly at the faces of the jurors. Schiegel wheeled about in his chair and scanned the jurymen with ill cencealed eagerness. After the jury had been polled the judge asked:
"Have you arrive" at a verdict?"
"We have," replied Foreman Steele.
Mr. Steele passed the court's instructions to Clerk Hagan, and he read the verdict which had been recommended to the jury by the judge in the event they found that Schiegel was insane at the time of the murder. Clerk Hagan read slowly the words:

words:
"We, the jury, find the defendant. John Schlegel, not guilty on the ground that, at

JURY ACTED ON SENTIMENT.

FOREMAN OF THE TWELVE.

SCHLEGEL AT HIS GROCERY.

Jury - At His

Home.

from such insanity.

sidered. "The question that was tried in the jury room," Mr. Steele admitted, "was whether or not a physician could invade the sanctity of the home. We did not believe that it was for us to establish the precedent that

ger's character or reputation was introduced during the trial;

From this same foreman of and spokes man for a jury sworn to render a verdict in accordance with the law and the evidence, came the answer, when asked if

law, but in line with Bill Adler and scores of cases that have made justice a byword in Jackson county and rendered the taking of human life a crime less punishable tian

anyone question why Joe Shannon was there?